

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

JAMON N. HESTAND, #01343536

§

VS.

§

CIVIL ACTION NO. 6:22cv006

TDCJ INSPECTOR GENERAL, et al.

§

ORDER

Before the Court is Plaintiff's motion for reconsideration, (Dkt. #12), of the undersigned's order directing Plaintiff to submit a \$100.00 initial partial filing fee—hereby construed as a motion for an extension of time. Plaintiff is proceeding *in forma pauperis* and states that paying an initial fee within thirty days prolongs justice and is impossible given delays at the prison. He explains that withdrawals from prisoner trust fund accounts are now taking weeks. Plaintiff requests that the Court “remove all interference and delays to the commencement and continuous action in this case” and simply withdraw the money.

The filing fee is statutory and it is Plaintiff's responsibility to either submit the full fee, or move to proceed *in forma pauperis*, and, if granted *in forma pauperis* status, to submit the requisite initial fee if ordered to do so. *See* 28 U.S.C. 1915(b)(1) (explaining that “the prisoner shall be required”). Plaintiff is required to initiate the payment of his filing fee with TDCJ, and the Court may not intercede in this process regarding the payment of funds from his prisoner trust fund account. In the interests of justice, however, the Court will provide Plaintiff with additional time in which to submit his initial fee. Accordingly, it is

ORDERED that Plaintiff's motion for reconsideration, (Dkt. #12), construed as a motion for an extension of time, is **GRANTED** to the extent that Plaintiff shall submit the \$100.00 initial filing fee—or demonstrate the financial inability to pay—no later than March 11, 2022. Further

extensions may not receive favorable consideration absent extraordinary circumstances. The failure to comply with this order may result in the dismissal of this lawsuit.

So ORDERED and SIGNED this 25th day of January, 2022.



K. NICOLE MITCHELL
UNITED STATES MAGISTRATE JUDGE